

Notice of Allowability

Application No. 09/498,789	Applicant(s) Ramachandran et al.
Examiner Cuong H. Nguyen	Art Unit 3625



--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the interview on 7/12/2003.
2. The allowed claim(s) is/are 1-51.
3. The drawings filed on _____ are acceptable as formal drawings.
4. Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

5. Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

6. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
7. Applicant MUST submit NEW FORMAL DRAWINGS
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No. _____.
 - (b) including changes required by the proposed drawing correction filed _____, which has been approved by the examiner.
 - (c) including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

8. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

- | | |
|--|--|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. <u>10</u> |
| 5 <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449), Paper No(s). _____ | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 9 <input type="checkbox"/> Other | |

DETAILED ACTION

1. This Office Action is the answer to the Appeal Brief submitted on 4/28/2003, and the interview on 7/12/2003 with applicants' representative Mr. Daniel D. Wasil (Register # 45,303).
2. Claims 1-35 are pending.

Drawings

3. Since allowable subject matter has been indicated, applicants are encouraged to submit formal drawings in response to this Office Action. The early submission of formal drawings will permit the Office to review the drawings for acceptability and to resolve any informalities remaining therein before the application is passed to issue. This will avoid possible delays in the issue process.

Examiner's amendment:

4. An examiner's amendment to the record appears below. Should the changes and additions be unacceptable to applicants, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

- In claim 27, line 17, delete "where".

Allowable Subject Matter & Reasons for Allowance

5. Independent claims 1, 18, 25-32, are patentable over the closest references of Lipkin (US Pat. 5,592,377), Atkins (US Pat. 5,644,727), Lemelson (US Pat. 4,471,343), because the combinations of these references do not anticipate nor fairly and reasonably teach a financial transaction machine (e.g., ATM), comprising:

- in a transaction machine having a customer side and a merchant user side, wherein each one of a plurality of merchant users are verified for stored identity data using appearance image, and/or audio signals (e.g., personal voice) as second identity data on a merchant user side; and those identity data are compared with each other, or input identity data of each merchant are verified against stored data using a processor of said ATM for a level of correlation before said merchant user are granted to accessing said ATM.

6. Independent claim **14** is patentable over the closest references of Lipkin (US Pat. 5,592,377), Atkins (US Pat. 5,644,727), Lemelson (US Pat. 4,471,343), because the combinations of these references do not anticipate nor fairly and reasonably teach a method of operation above financial transaction machine comprising similar limitations as above apparatus claim.

7. Claims **2-13, 15-17, 19-24, and 33-35** are allowed because they are dependent upon base claims 1, 14, 18, and 30 (in that order).

Conclusion

8. Claims 1-35 are patentable.

9. These following references are related to this invention however, they don't suggest that a financial transaction machine having a customer side and a merchant user side wherein on the merchant user side, appearance image input signals of a merchant are obtained by an adjacent camera, and audio input signals (voice) of a merchant are obtained by a microphone to compare with stored data for authentications before said merchant user can operate that financial transaction machine:

- William J. Veeneman et al., US Pat. 5,243,174 – class 235/381, 9/07/1993, disclose a method and an apparatus for generating gift certificate.
 - Richard A. Ferris et al., US Pat. 4,497,261 – class 902/30, 2/05/1985, disclose a security enclosure for an automatic teller machine.
 - Seibert, Paul; Does your ATM security check out?; Oct. 1994; Credit Union Management v17n10 pp: 33-34, dialog copy pp. 1-4.
 - Security For Computer Networks (An Introduction to Data Security in Teleprocessing and Electronic Funds Transfer) (1984) D.W. Davies and W.L. Price, Ch. 6 (pp.145-146), Ch. 10, Glossary.
 - Dictionary of Financial and Economic Terminology, Yoshino et al., Jan. 10, 1990, Economic Acts Study Group (translation of p. 165).
 - New Saitama Bank's Strategies on International ATMs, Oct. 17, 1985, Economic Acts Study Group (translated Figure on p. 45).
 - "The EFT Sourcebook" pp. 35-40, Tables 1-4, J. Levy, Phillip Publishing Inc., 1988.
 - "Discovering Direct Access" manual, pp. 1-88, Citibank, N.A., 1987.
 - Article "The CIRRUS Banking Network" D. Gifford, et al., pp. 798-807, Communications of the ACM, vol. 28, No. 8, Aug. 1985.
 - Article "8 Banks and Thrifts in 3 States Launch Video Banking Service", A Newman, Jr., American Banker, no date available.
 - Dialog text of article "Viewtron Entering Pittsburgh in Deal with Dollar Bank" D. Tyson, Pittsburgh Press American Banker, Aug. 1985.
 - Dialog text of article "NBD Offers Electronic Highway for Network of Shared ATMs" R. Garsson, American Banker, Apr. 1984.
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Cuong H. Nguyen, whose telephone number is (703)305-4553. The examiner can normally be reached on Monday-Friday from 7:15 AM-3:15 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins, can be reached on (703)308-1344.

Any response to this action should be mailed to:

Issue

***Commissioner of Patents and Trademarks
Washington D.C. 20231***

or faxed to: (703)305-7687 [Official communications; including After Final communications labeled "Box AF"]

703-746-5572 (RightFax) Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703)308-1113.

Cuong Nguyen
Primary Examiner
July 12, 2003